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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COLLECTOR & DISTRICT MAGISTRATE
GUNTUR**

Rc.No.86/2023/C4.

Dated: 30-03-2024.

CASTE STATUS VERIFICATION - GUNTUR DISTRICT - PEDAKAKANI (M) -
VENIGANDLA (V) - ENQUIRY AND VERIFICATION OF "BEDA (BUDGA)
JANGAM-(SC)" CASTE CERTIFICATE IN RESPECT OF Sri KAPPIRI VIJAY BABU
S/o NAGAI AH - PLACED BEFORE THE D.L.S.C - DLSC RECOMMENDATIONS
SUBMITTED TO THE DISTRICT COLLECTOR - CONSIDERED.

- Read: 1. RC.No.B4/131/2023, dt.23.09.2023 of the DSCW & EO., Krishna District,
Machilipatnam.
2. Statement filed by Sri Kappiri Vijaya Babu S/o Nagaiah, the respondent
before the DLSC on 17.11.2023.
3. This Office Computer No.367343/2023/C4, dt.25.11.2023 & 22.12.2023
addressed to the Tahsildar, Pedakakani.
4. RC.No.25/2024-A, dt.09.01.2024 of the Tahsildar, Pedakakani.

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ORDER:

The DSCW & EO., Krishna District, Machilipatnam has informed that Mr.K.Vijay Babu, S/o Nagaiah R/o Venigandia Village of Pedakakani Mandal of Guntur District who is studying B.Tech at Seshadri Rao Gudlavalleru Engineering College, Gudlavalleru of Krishna District has applied for fees reimbursement under JVD by claiming his caste as Beda Budaga Jangam SC, during processing of application (Rejected by DD/JD remarks; Caste or Sub- Caste is not correct). Reason that, Beda Budaga Jangam not a SC Caste, since as per the Gazette of A.P Reorganization Act, 2014(No.6 of 2014 dated 01-03-2014) fifth schedule, the caste "Beda(Budaga) Jangam" was not under the list of Scheduled Castes of A.P. as such the students applied for JVD scheme under the Beda/Budga Jangam Caste with SC Caste certificate were not eligible. However, as seen from the information furnished by the Technical Team certain applicants have applied for JDV scheme with Beda/Budga Jangam Caste Certificates which were given Revenue Authorities of above district and the list of students who applied for scholarship under SC category with Beda/Budga Jangam Caste Certificate, the District Collectors concerned are requested to call for remarks of the Tahsildars concerned how they issued the caste certificate though, said caste is not in the list of Scheduled Castes in Andhra Pradesh and also to initiate the process to cancel the caste certificate of Beda(Budga) Jangam issued under Scheduled Caste category duly following the prescribed procedure in the matter and report compliance.

Further informed that aggrieved by this, the applicant filed a W.P.No.7092 of 2023 before the Hon'ble High Court and the Court disposed the matter with the following direction:

- (i) The petitioner is at liberty to submit all the relevant documents including the orders passed by this court showing that the petitioner belong to SC caste – Beda/Budga Jangam, within a period of one (1) week from the date of receipt of a copy of this order.
- (ii) On receipt of such material from the petitioner, the respondent authority concerned is directed to consider all the relevant G.Os and AP reorganisation Act, 2014 and pass a reasoned order by providing an opportunity of personal hearing to the petitioner and communicate the same to the petitioner within a period of three (03) weeks thereafter.

Finally, the DSCW & EO., Krishna District, Machilipatnam referred the matter to the District Collector, Guntur to place the matter before the DLSC, since the caste certificate in the question was issued by the Tahsildar, Pedakakani Mandal of Guntur District.

The Collector & District Magistrate referred the matter to the DLSC on 27.10.2023.

The Joint Collector & Chairman of the District Level Scrutiny Committee conducted the meeting on 17.11.2023 in which the Convener and other members of the DLSC, the Superintendent, O/o the DSCW & EO., Krishna District, Machilipatnam, the complainant and Sri Kappiri Vijay Babu S/o Nagaiah, the respondent herein were present.

Sri Kappiri Vijay Babu S/o Nagaiah gave his written statement before the DLSC on 17.11.2023 is as follows:

- He claimed that he and his ancestors belong to Beda (Budga) Jangam (SC) community. His father Sri Kappiri Nagaiah is eking out livelihood by cooli, his mother premavathi is housewife. His grand father by name Sri Kappiri Krishna and his great grand father by name Sri Kappiri Kotaiah hailed from Kamepalli village of Vemulapalli Mandal of Nalgonda District of Telangana State.
- His ancestors used to recite "BURRAKADAS" which is their caste occupation.
- Sri Kappiri Kotaiah who was his great grand father had migrated to venigandla village of Pedakakani Mandal of Guntur District about 50 years back and used to go round the villages by reciting "Burrakadas" to earn livelihood.
- His father Sri Kappiri Nagaiah has migrated to Tadanki village of Pamidimukkala Mandal of Krishna District about 10 years ago and eking out livelihood by cooli.
- He stated that he resided at his grand mother's house at Pedana village of Krishna District and studied from elementary school to Intermediate education and there after joined B.Tech Engineering course at Gudlavalleru Mandal of Krishna District.
- He stated that his parents are illiterates and no caste certificates were obtained by his parents.
- The Aadhar Card, Ration card of him self and his parents were obtained at Tadanki village of Pamidimukkala Mandal of Krishna District and there are no address proofs at Venigandla Village of Pedakakni Mandal.
- He filed xerox copy of School T.C issued by the H.M, B.G.K.Z.P.H.School, Pedana of Krishna District and T.C issued by the Narayana Junior College, Vuyyuru of Krishna District to the Tahsildar, Pedakakani and obtained Beda Budga Jangam (SC) caste certificate bearing No. CGC012246211837 dt. 19.01.2022.

- He filed xerox copy of a certificate dt.20.08.2023 issued by the Tahsildar, Vemulapalli Mandal of Nalgonda District wherein it is stated that as per revenue enquiry some Beda (Budga) Jangam families belonging to Kappiri Nagaiah S/o Krishna and some others who were residing at Kamepalli village of Vemulapalli Mandal of Nalgonda District had migrated to Tadanki village of Pamidimukka Mandal of Krishna District in search of livelihood.

The respondent stated that his father migrated to Tadanki village of Krishna District about 10 years back from venigandla village of pedakakani Mandal and there is no documentary evidence in support of his caste status at pedakakani Mandal, therefore he filed school and college T.C obtained in Krishna District to the Tahsildar, Pedakakani and obtained Beda (Budga) jangam (SC) caste certificate.

At this juncture, a detailed and discrete enquiry report has been called from the Tahsildar, Pedakakani to place before the DLSC for taking further necessary action.

The Tahsildar, Pedakakani submitted his report dt.09.09.2024 as follows:

- Sri Sripati Venkateswarlu S/o Bikshalu who is working as Surya Daily News Paper reporter gave a statement before the MRI that Sri Kappiri Vijay Babu belongs “Beda (Budga) Jangam (SC)” caste and he had resided at Pedakakani Mandal for 3 years between 2015 and 2022 and now he is residing at Tadanki Village of Krishna District.
- Sri Kappiri Vijay Babu S/o Nagaiah who is presently residing at Tadanki Village of Pamidimukkala Mandal of Krishna District had temporarily resided in tents raised at Venigandla Village of Pedakakani Mandal between the years 2015 to 2022 as per the report of the Mandal Revenue Inspector.
- Sri Kappiri Vijay Babu had applied for issue of “Beda (Budga) Jangam (SC)” caste certificate through Meeseva center at Pedakakani Village on 17.01.2022 without enclosing any documentary evidence. However the then Tahsildar, Pedakakani had issued “Beda (Budga) Jangam (SC)” caste certificate on 19.01.2022.
- Sri KappiriVijayababu submitted the following documents by whats app to the Tahsildar:
 1. Aadhar Card obtained at Tadanki Village of Pamidimukkala Mandal of Krishna District.
 2. T.C issued by the H.M, S.G.K.Z.P. High School, Pedana Village of Krishna District which shows that Sri Kappiri Vijay Babu studied class V to class X at Pedana village of Krishna District and his caste is noted as Beda –Budga Jangam - SC.

- As per the communication bearing Letter.No.C/301/2023, dt.21.08.2023 issued by the Tahsildar, Vemulapally of Nalagonda District, the family members of Sri Kappiri Vijay Babu had migrated to Tadanki Village of Pamidimukkala Mandal of Krishna District from Nalgonda District about 30 years ago.
- The Tahsildar, Pedakakani further stated that as per the Aadhar history, the entire residential address of Sri Kappiri Vijay Babu is in Krishna District only. **But the then Tahsildar, Pedakakani appears to have issued Beda (Budga) Jangam (SC) caste certificate to Sri Kappiri Vijay Babu erroneously.**
- The Tahsildar, Pedakakani accordingly submitted his report for taking a decision on the status of caste certificate dt.19.01.2022 issued by the then Tahsildar, Pedakakani to Sri Kappiri Vijay Babu S/o Nagaiah who is resident of Tadanki Village of Pamidimukkala Mandal of Krishna District.

After due examination of the record of enquiry and the documents produced by the individual, the following discrepancies are noticed by the District Level Scrutiny Committee:

1. Sri Kappiri Vijay Babu, the respondent stated that his grand father had migrated from Nalgonda District about 50 years back to Venigandla Village of Pedakakani Mandal and his father Sri Kappiri Nagaiah had migrated to Tadanki Village of Pamidimukka Mandal of Krishna District about 10 years ago from Pedakakani Mandal.
2. Sri Kappiri Vijay Babu, the respondent stated that he has no residential and other documentary evidence at Pedakakani Mandal to get caste certificate.
3. Sri Kappiri Vijay Babu, the respondent stated that his parents and grand parents are illiterates and there are no caste certificates obtained by them.
4. Sri Kappiri Vijay Babu, the respondent produced a communication bearing Letter.No.C/301/2023, dt.21.08.2023 issued by the Tahsildar, Vemulapalli Mandal of Nalagonda District **wherein it is stated that the family members of Sri Kappiri Nagaiah S/o Krishna, Sri Kappiri Vijay Babu S/o Nagaiah had migrated from Kamepalli Village of Vemulapalli Mandal of Nalgonda District to Tadanki Village of Pamidimukkala Mandal of Krishna District about 30 years ago and they belong to Beda (Budga) Jangam (SC).**

5. The present Tahsildar, Pedakakani stated that Sri Kappiri Vijay Babu S/o Nagaiah had temporarily resided at Venigandla Village of Pedakakani Mandal for a period of 3 years between the years 2015 to 2022 as per the report of the MRI.
6. As per the T.C, issued by the H.M, S.G.K.Z.P. High School, Pedana Village of Krishna District the D.O.B of Sri Kappiri Vijay Babu is 16.08.2002 and **he was not born 30 years ago to claim that he migrated from Nalgonda District as contained in the communication dt.21.08.2023 issued by the Tahsildar, Vemulapalli Mandal of Nalgonda District** and there are no chances of his residence at Venigandla Village of Pedakakani Mandal between the years 2015 to 2022 during which he was studying in Krishna District, where as Sri Kappiri Vijay Babu himself claimed that he had resided at Pedana Village of Krishna District along with his grand mother for his study purpose from Primary Education to Intermediate Education and all his residential proof are available at Pedana Village of Pamidimukkala Mandal of Krishna District.

In W.P.No.7092 of 2023 filed by Sri Kappiri Vijay Babu, the Hon'ble High Court disposed the matter with the following direction:

- (i) The petitioner is at liberty to submit all the relevant documents including the orders passed by this court showing that the petitioner belong to SC caste – Beda/Budga Jangam, within a period of one (1) week from the date of receipt of a copy of this order.
- (iii) On receipt of such material from the petitioner, the respondent authority concerned is directed to consider all the relevant G.Os and AP reorganisation Act, 2014 and pass a reasoned order by providing an opportunity of personal hearing to the petitioner and communicate the same to the petitioner within a period of three (03) weeks thereafter.

Sri Kappiri Vijay Babu, the respondent could not submit any authenticated documentary proof in support of his residence at Venigandla Village of Pedakakani Mandal.

Sri Kappiri Vijay Babu, the respondent could not submit any authenticated documentary proof in support of his claim that he belongs to “Beda (Budga) Jangam (SC)”.

The then Tahsildar, Pedakakani appears to have issued “Beda (Budga) Jangam (SC)” caste Certificate dt.19.01.2022 to Sri Kappiri Vijay Babu without making any proper enquiry and without verifying any documents and without noticing the fact that the caste of “Beda (Budga) Jangam is omitted from the list of Scheduled Castes as per Reorganisation Act 2014 published in Extraordinary part II the Gazette of India No.06, dt. 1st March 2014.

Accordingly the District Level Scrutiny Committee recommended for cancellation of the caste certificate “Beda (Budga) Jangam (SC)” issued to Sri Kappiri Vijay Babu S/o Kappiri Nagaiah vide certificate No.CGC012246211837, dt.19.01.2022 by the then Tahsildar, Pedakakani Mandal, which is already omitted from the list of Scheduled Castes as per the Gazette of A.P Reorganization Act, 2014(No.6 of 2014 dated 01-03-2014) fifth schedule.

In view of the recommendations of the DLSC, a notice dt. 29.02.2024 was issued by the Collector, Guntur to Sri Kappiri Vijay Babu, the respondent to file any objections on the opinion of the DLSC.

Consequently, the respondent attended before the District Collector on 18.03.2024 and submitted no supportive evidence except a copy of lr.dt.06.10.2023 addressed to Government of India, wherein the State of Andhra Pradesh Government had submitted proposal for inclusion of “Beda (Budga) Jangam (SC)” caste in the list of SC castes which was omitted as per the Gazette of A.P Reorganization Act, 2014.

Discussion:

- The Tahsildar, Pedakakani has not stated that his grand parents and parents ever lived in Venigandla village of Pedakakani Mandal as claimed by the respondent and therefore his claim is proved to be not true, further there is no corroborative evidence placed before the DLSC or the District Collector that the respondent and his ancestors belong to “Beda (Budga) Jangam (SC)”.
- The respondent and his parents are not residents of Venigandla village of Pedakakani Mandal. Further, there is no local evidence in support of the claim of the respondent that he belongs to “Beda (Budga) Jangam (SC)”. Hence the respondent can not seek caste certificate where he has no local residence.
- Evidently the respondent and his parents are residing at Tadanki village of Pamidimukkala Mandal of Krishna District.
- Further, the caste of the individual entered in school record can not be considered as genuine in the absence of any corroborative local evidence.

Findings:

- There was no evidence produced in support of the residence of the respondent at Pedakakani Mandal.
- It is clear that the Tahsildar has not verified any documents before issue of the caste certificate.
- Moreover the “Beda (Budga) Jangam (SC)” caste is omitted from the list of SC castes in A.P., as per the Gazette of A.P Reorganization Act, 2014.
- Therefore, the Tahsildar committed error in having issued the “Beda (Budga) Jangam (SC)” caste certificate without any jurisdiction and authority in respect of a caste which is not included in the list of castes approved by the Government.
- Moreover the individual is a non resident of Venigandla Village of Pedakakani Mandal and he can not apply for a caste certificate in his non local jurisdiction for discussion sake, disregard of the fact that any Tahsildar in the State of A.P. prohibited from issue of “Beda (Budga) Jangam (SC)” caste certificate as per the Gazette of A.P Reorganization Act, 2014(No.6 of 2014 dated 01-03-2014) fifth schedule.
- The claim of migration of the respondent/his parents from Nalgonda District if any is also non acceptable in view of the fact that the Government of A.P. omitted “Beda (Budga) Jangam (SC)” caste from the list of SC castes in A.P.
- Regarding the claim of the respondent that the Government of A.P has recently addressed a letter to the Government of India requesting for inclusion of “Beda (Budga) Jangam (SC)” caste in the list of SC Castes in A.P State can not be now considered since there are no orders from the Government of A.P communicated in this regard till today.
- Moreover the Government of A.P have issued instructions not to issue “Beda (Budga) Jangam (SC)” caste certificate in the State in view of the fact that the said caste was omitted from the list of SC castes approved by the State Government.

In the above circumstances, the caste certificate issued by the Tahsildar, Pedakakani is not valid as the Tahsildar has no jurisdiction and authority to issue “Beda (Budga) Jangam (SC)” caste certificate in the state of A.P. as of now and hence the caste certificate is liable for cancellation.

In view of the above, I, M.Venu Gopal Reddy, I.A.S., Collector & District Magistrate, Guntur in exercise of the powers conferred by the Government U/s.5(1) of the A.P.(SC, ST & BCs) Regulation of Issue of Community Certificates Act, 16 of 1993 read with Rule 9(7) of AP (SC, ST & BC) issue of Community, Nativity and Date of Birth Certificate Rules 1997 communicated in G.O.Ms.No.58, Social Welfare Department dt.12.5.1997, **hereby cancel the “Beda (Budga) Jangam (SC)” caste certificate issued to Sri Kappiri Vijay Babu S/o Kappiri Nagaiah by the Tahsildar, Pedakakani vide Meeseva Application No. CGC012246211837, dt.19.01.2022.**

A notification to this effect shall be published in the A.P.State Gazette.

An appeal lies to the Government against this order within 30 days from the date of publication of this order in the AP State Gazette.

M.VENU GOPAL REDDY,
Collector & District Magistrate,
Guntur.

To

1. Sri Kappiri Vijay Babu S/o Nagaiah, Tadanki Village, Pamidimukkala Mandal, Krishna District.
2. The the DSCW & EO., Krishna District, Machilipatnam.

Office of the
Collector & District Magistrate
Guntur.

Rc.No.86/2023/C4

Dt.30.03.2024.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred Under Sec.5(1) of the AP (SC, ST & BCs) Regulation of Issue of Community Certificates Act 16 of 1993, read with Rule 9(7) of AP (SC, ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated vide G.O.Ms.No.58, Social Welfare (J) Department, dt.12.5.1997, it is hereby declared that the **“Beda (Budga) Jangam (SC)”** Caste Certificate issued by the then **Tahsildar, Pedakakani vide Meeseva Application No. CGC012246211837, dt.19.01.2022** in respect of **Sri Kappiri Vijay Babu S/o Kappiri Nagaiah** is hereby cancelled.

M.VENU GOPAL REDDY,
Collector & District Magistrate,
Guntur.

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